

Entered - 12-22-97 - sb
CL 97L0777 - GWENDOLYN BURNS

CLAIM OF: **WILLIE P. WALLACE**
232 Barfield Avenue, SW
Atlanta, Georgia 30310

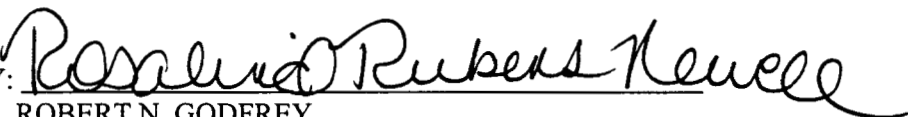
00- R -1906

For property damages alleged to have been sustained when a driveway was destroyed during a sewer excavation project in August, 1997 at 232 Barfield Avenue, SW.

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:**

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **WILLIE P. WALLACE** the sum of **\$1,700.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained when a driveway was destroyed during a sewer excavation project in August, 1997 at 232 Barfield Avenue, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 97L0777

Date: November 16, 2000

Claimant /Victim WILLIE P. WALLACE
BY: (Atty) (Ins. Co.) _____
Address: 232 Barfield Avenue, SW, Atlanta, Georgia 30310
Subrogation: _____ Claim for Property damage \$ 1,950.00 Bodily Injury \$ _____
Date of Notice: 12/19/97 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 8/97 Place: 232 Barfield Avenue, SW
Department PUBLIC WORKS Division Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained property damage when her driveway was destroyed and never replaced by a city sewer crew during an excavation project at the edge of her property.

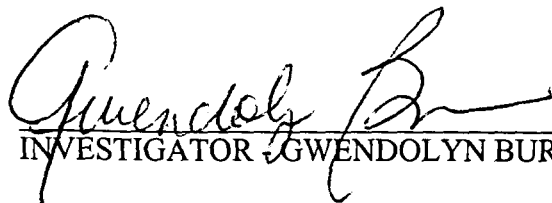
INVESTIGATION:

Statements: City employee X Claimant _____ Others _____ Written _____ Oral X
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X
City not involved _____ Offer rejected _____ Compromise settlement _____
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,700.00 Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____
Claims Manager:  Concur/date 11-17-00
Committee Action: _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
CLERK OF COUNCIL
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Burns
12-19-97

Today's Date: _____

ENTERED - 12/22/97 - tew
97L0777 - GWEN BURNS

Dear Clerk of Council:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,9500 property and/or \$ mental bodily injury for which I contend the City is liable.

1. Date of incident: August 1997
(month/day/year)
2. Police called: _____
Yes No
3. Location of incident: 232 Barfield Ave SW
4. Name of your insurance company: _____ Policy No. _____
5. State what and how incident occurred: Sewer came in from Neglect. The City took up a drive way in the back yard and refused to replace it saying it was my fault. But they failed to tell me they were going to Regain it otherwise I wouldn't have told them to take the other half up
6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
Your vehicle: _____
(make) (year) (tag number) (driver's name)
City vehicle: _____
(make) (City driver's name) (department/bureau)
8. Witness: _____
(name) (address) (telephone number)
9. The acknowledgement of this claim in no way waives the Governmental immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE Mr. Willie P. Wallace
INFORMATION IS TRUE AND CORRECT. (claimant's name)

232 Barfield Ave
(address)

Atlanta, Ga
(city and state)

00-R-1906

Retired 404-691-17
(work number) (home number)